11-07-05

Express Mail No. EV 687 633 742 US

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(D)

Attorney Docket AERX-055CON6 NOV 0 4 7005

First Named Inventor GONDA, IGOR

Application Number 10/682,529

Filing Date October 8, 2003

Group Art Unit 3743

Examiner Name LEWIS, AARON J.

Address to:
Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

"METHOD OF USE OF MONOMERIC INSULIN AS A MEANS FOR IMPROVING THE REPRODUCIBILITY OF INHALED INSULIN"

Sir:

This is an Information Disclosure Statement submitted for the Examiner's consideration. This is being filed after a Final Action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

Title:

A Form SB08 (substitute for form 1449) listing the references accompanies this paper. Applicants would appreciate the Examiner initialing and returning the form to indicate that the references have been reviewed and made of record.

## Statement(s) under 37 CFR § 1.97(e):

- (1) That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- (2) That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

This Information Disclosure Statement is not intended as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one of the above references constitutes prior art to the present application within the meaning of 35 U.S.C. §102.

11/09/2005 WABDELR1 00000102 10682529

01 FC:1806

180.00 OP

Atty Dkt. No.: AERX-055CON6

USSN: 10/682,529

In accordance with the requirements of 37 C.F.R. §1.97(d) accompanying this paper is a certification as specified in 37 C.F.R. §1.97(e). Applicant(s) hereby petition for the consideration of this Information Disclosure Statement.

The \$180.00 fee set forth in 37 C.F.R. §1.17(p) to cover the petition accompanies this disclosure statement. The Office is hereby authorized to charge any additional fees which may be required by this paper or any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21, or to credit any overpayment, to our Deposit Account No. 50-0815, Order No. AERX-055CON6 may be charged thereon.

Respectfully submitted, BOZICEVIC, FIELD & FRANCIS LLP

Date:

By:

Karl Bozicevic, Reg. No. 28,

BOZICEVIĆ, FIELD & FRANCIS LLP 1900 University Avenue, Suite 200 East Palo Alto, California 94303

Telephone: (650) 327-3400 Facsimile: (650)327-3231

NOV 0 4 2005

PTO/SB/08A (08-00) Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Panerwork Reduction Act of 1995, no persons the required suggested to a collection of information unless it contains a valid OMB control number

Substitute	e for form 1449A/PTO			Complete if Known		
	· [			Application Number	10/682,529	
INFORMATION DISCLOSURE				Filing Date	October 8, 2003	
	STATEMENT BY APP	LIC	ANT	First Named Inventor	GONDA, IGOR	
				Group Art Unit	3743	
	(use as many sheets as necessary)			Examiner Name	LEWIS, AARON J.	
Sheet	1	of	1	Attorney Docket Number	AERX-055CON6	

U.S. PATENT DOCUMENTS						
Examin er Initials'	C <sup>i</sup> te No. <sup>1</sup>	U.S. Patent Documents  Number Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, columns, lines, Where Relevant Passages or Relevant Figures Appear	
		5,529,055	Gueret	06-25-1996		
		5,694,920	Abrams et al.	12-09-1997		

FOREIGN PATENT DOCUMENTS						
Examiner Initials'	Cite No. <sup>1</sup>	Foreign Patent Documents  Office <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> ( <i>if known</i> )	Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		WO 96/00046	Astra Aktiebolag	01-04-1996		
		WO 96/09846	Aradigm Corporation	04-04-1996		
		WO 96/13290	Aradigm Corporation	05-09-1996		

OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>		
		,			

Examiner	 Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.